

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA**

**44 ALEXANDRIA, LLC**

\*

\*

**Case No.: 1:23-CV-01204**

\*

Plaintiff,

v.

\*

**NORTH AM. CAPACITY INS. CO.**

\*

Defendant.

\*

\* \* \* \* \*

**STIPULATION OF VOLUNTARY DISMISSAL**  
**PURSUANT TO F.R.C.P. 41(a)(1)(A)(ii)**

IT IS HEREBY STIPULATED AND AGREED by and between the parties and/or their respective counsel that the parties have agreed to arbitration and the above-captioned action is voluntarily dismissed without prejudice against Defendant North American Capacity Insurance Company pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii).

/s/ Anthony DiUlio.

ANTHONY DIULIO  
WHEELER DIULIO & BARNABEI  
1650 Arch St., Suite 2200  
Philadelphia, PA 19103  
*Counsel for Plaintiff*

/s/ Jessica E. Port

JESSICA E. PORT (VSB No.: 86732)  
GEORGE E. REEDE (VSB No.: 78968)  
JONATHAN R. MACBRIDE  
(*Pro hac vice*)  
Zelle LLP  
1775 N. Pennsylvania Ave, # 375  
Washington, DC, 20006  
(202) 899-4113 phone  
(612) 336-9100 facsimile  
jport@zellelaw.com  
jmacbride@zellelaw.com  
*Counsel for North Am. Capacity Ins. Co.*

**CERTIFICATE OF SERVICE**

I hereby certify that on the 13th day of February 2024, the foregoing was electronically filed with the Clerk of Court using the CM/ECF system, with notices sent to all counsel of record.

/ s/ Jessica E. Port

Jessica E. Port (VSB: 86732)